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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/676,491	10/01/2003	Jeffrey Alan Herath	0088569	1710

7590 05/22/2007  
ATTN: PETER A. SHADDOCK II  
KAUFMAN & CANOLES  
P.O. BOX 3037  
NORFOLK, VA 23514

EXAMINER
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PHU, PHUONG M

ART UNIT	PAPER NUMBER
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2611

MAIL DATE	DELIVERY MODE
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05/22/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Interview Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	10/676,491		HERATH, JEFFREY ALAN	
	<b>Examiner</b>		<b>Art Unit</b>	
	Phuong Phu		2611	

All participants (applicant, applicant's representative, PTO personnel):

(1) Phuong Phu. (3) \_\_\_\_\_

(2) David Clement. (4) \_\_\_\_\_

Date of Interview: 14 May 2007.

Type: a) ☒ Telephonic b) ☐ Video Conference  
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.

If Yes, brief description: \_\_\_\_\_

Claim(s) discussed: 1 and 18.

Identification of prior art discussed: n/a.

Agreement with respect to the claims f) ☒ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: The examiner agreed with the applicant's proposed amendment which is herein attached.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

**PHUONG PHU  
PRIMARY EXAMINER**

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Phuong Phu 5/16/07  
Examiner's signature, if required

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re U.S. Patent Application of: Herath, Jeffrey Alan )  
Serial No.: 10/676,491 )  
Filed: 10/01/2003 )  
Art Unit: 2611 )  
Examiner: Phu, Phuong M. )  
For: Data Compression System And Method )  
)  
)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

May 16, 2007

**RESPONSE WITH AMENDMENT TO CORRECT INFORMALITIES**

In response to the Official Action mailed on March 27, 2007, the Applicant herein submits the following Response.

**In the Specification**

Applicant notes the examiner's objection to an informality in the disclosure and provides that page 1, line 4 should read "U.S. Patent No. 6,661,845" wherein the numerals are intended to replace the repeated "X" characters found in the specification as filed.

**In the Claims**

Applicant notes the examiner's objections to Claims 1 - 10 due to informalities and has provided, as an attachment, a corrected set of claims. By inserting a phrase at the conclusion of the fifth limitation of Claim 1, which limitation begins with the words "adjusting the variable length...", Applicant believes that he has overcome the

examiner's objection. As shown in the attachment, that limitation will now read: "adjusting the variable length of each variable compression ratio, variable length data packet to the determined fixed length by adding a group of data bytes to the variable compression ratio, variable length data packet in order to form a variable compression ratio, fixed length data packet." Applicant believes that so modifying the fifth limitation will satisfy the examiner's concerns with regard to Claim 1 and therefore, by extension, to the examiner's objections to Claims 2-9 which all depend from Claim 1.

Additionally, although no objections were made to Claims 11-22, in careful review of the instant application in preparation of this Response, Applicant discovered an additional informality in Claim 18, which, if corrected, would resolve a typographical error whereby the word "to" was inadvertently omitted from the third limitation of Claim 18. Correction is provided as part of the attached corrected Claims. The relevant portion of the corrected third limitation provides "...adding null set data bytes to the at least one variable..."

In the Drawings

Although no objections were made to the drawings, in careful review of the instant application in preparation of this Response, Applicant discovered an inadvertent typographical error which appears to result in an additional informality with regard to Figure 1. As consistently referred to in the disclosure, reference numeral 160 properly refers to a "Packet Encoding Processor." Applicant has attached a Replacement Drawing for Figure 1 wherein this proper term is associated with reference numeral 160.

By the above, the Applicant has provided a timely response to the outstanding Official Action of March 27, 2007. Applicant further notes that prosecution has been closed on the merits by the examiner who has found this application to be in condition for allowance except for the above matters. Accordingly, the Applicant respectfully requests favorable examination of the present application and that the present application be allowed and passed to issue.

Respectfully Submitted,

David J. Clement  
Attorney for Applicant  
Registration No. 44,082

*Draft submitted for purposes of telephonic interview only*

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Certificate of Transmission

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office Fax No. (571) 273-3009 on \_\_\_\_\_.

David J. Clement  
Attorney for Applicant  
Registration No. 44,082



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<u>RECIPIENT</u>	<u>COMPANY NAME</u>	<u>PHONE NUMBER</u>	<u>FACSIMILE NUMBER</u>
To: Phuong M. Phu	USPTO		571-273-3009
<b>FROM:</b> David J. Clement			
<b>COMMENTS:</b>			
<b>OPERATOR:</b> Kendra			
<b>NO. OF PAGES (INCLUDING COVER SHEET):</b> 5			

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May 14, 2007

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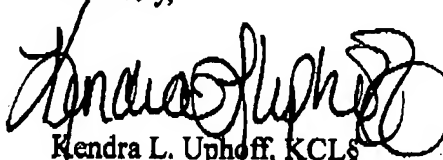
Re: In re U.S. Patent Application No. 10/676,491  
Our File No.: 991128/871128

Dear Examiner Phu:

Pursuant to Mr. Clement's request I am attaching a draft Response with Amendment to Correct Informalities for purposes of a telephonic interview scheduled for the morning of May 16, 2007.

Thank you for your attention to this matter. If you should have any questions, please do not hesitate to contact me. I can be reached directly at (502) 568-5488.

Sincerely,

  
Kendra L. Uphoff, KCLs  
Assistant to David J. Clement

DJC/klu

Enclosure